

# OPA No. 8 - Spears-High Pointe Secondary Plan

## **PART "B" THE AMENDMENT**

## **PART "B" - THE AMENDMENT**

### **Introductory Statement:**

All of this part of the document entitled "Part "B" - "The Amendment" consisting of map and text changes constitute Amendment No. 8 to the Official Plan adopted by By-law No. 150-06 for the Town of Fort Erie Planning Area. The Official Plan for the Town of Fort Erie, as amended, is hereby further amended by adding the map and text changes, as follows:

### **Map Changes:**

1. "Town of Fort Erie Official Plan" being Schedule A to the Official Plan adopted by By-law 150-06 for the Fort Erie Planning Area as amended, is further amended by the attached Schedules.
2. Schedule "Spears-High Pointe -1" (SHP-1) delineates the area subject of this Amendment as the Spears-High Pointe Secondary Plan Area.
3. Schedule "Spears-High Pointe -2" (SHP-2) - Land Use Plan;
4. Schedule "Spears-High Pointe -3" (SHP-3) - Open Space/Natural Heritage Plan; and
5. Schedule "Spears-High Pointe -4" (SHP-4) - Transportation Systems Plan.

### **Text Changes:**

#### **4.17 Spears-High Pointe Secondary Plan**

##### **4.17.1 Purpose of the Spears-High Pointe Secondary Plan**

The purpose of the Spears-High Pointe Secondary Plan is to provide a framework for a cohesive, complete community to develop. The framework is intended to provide clear direction to achieve subsequent goals and objectives. The Secondary Plan consists of a land use plan and related policies to guide development and redevelopment to ensure it is in keeping with the Town's vision for this neighbourhood. The Plan will provide and serve as the guide for planning activity for a period projected over the next 20 years and will be subject to amendments from time to time, as well as being included the Town's 5 year review of its Official Plan.

#### **4.17.2 Vision**

At the sunset of the 20 year planning period, the vision seeks to establish a complete community. The predominant land use will be residential with a balanced mix and form appealing to the full spectrum of demographics. Garrison Road will have intensified development consisting of mixed use, medium and high density residential and commercial uses along this primary transportation and transit corridor. Opportunities for 'age in place' have been encouraged and are well aligned with the complete community concept.

New commercial enterprise catering to the residential population needs have established and are sustained by the increased pedestrian, resident, and enroute traffic increase.

The Garrison Road streetscapes has evolved into a more defining street edge perpetrated and predicated on urban design to bring buildings and structures closer to the frontage to create visual interest, at the same time making the corridor a more friendly, walkable environment for all stages of life and not just a place for the automobile.

The parks and open spaces are linked and provide for recreational destinations while the natural environment is afforded the protection it deserves and is woven in amongst the community fabric.

In 20 years, residents are enjoying the highest quality of life with the businesses and industry afforded prosperity through sustainable urban development practices.

The desired future state of the Spears-High Pointe Neighbourhood is a balanced, stable community in which the diverse needs of the Town's current and future populations can be met. The Plan is guided by the following vision statement, having taken into account the earlier 2002 Neighbourhood Plan working group contributions, the active development community and the public open house contributions garnered in 2012:

*The Spears-High Pointe neighbourhood is rich in opportunity of supplying the Town of Fort Erie with a complete community. Its location provides for strong connection to the existing transportation and transit networks and will transition well with the focused intensification of Garrison Road. Its existing residents have acted as its caretakers and continue to hold vested interest in protecting what is important to their quality of life. Development can be promoted provided we remain responsive to the following core values:*

- a) *provide practical, well thought-out planning that will integrate with the existing fabric of the neighbourhood so as to better connect with its boundaries and remain permeable from within;*
- b) *emphasize community safety for all ages by providing sidewalks, bike lanes, speed and stop control on our shared roadways;*
- c) *make the neighbourhood a place that is a friendly, walkable community that promotes pedestrian and active transportation; fear should never be a factor in a decision to walk or recreate.*
- d) *recognize and seek balance in land use decisions that interface with the neighbourhood's existing residents and businesses.*
- e) *respect the neighbourhood's natural features by providing opportunity for their continued contribution to the environment;*
- f) *recognize the neighbourhood's limited historical and cultural features by protecting and promoting their place within the community and to serve as a reminder by providing connection to the Town's significant national heritage standing.*
- g) *engage the residents and businesses throughout the development period to provide feedback and measure the success of this Plan in an ongoing manner.*

#### **4.17.3 Goals**

The Spears-High Pointe Secondary Plan strives to achieve its goal of becoming an integral and integrated part of a complete community by providing for a variety of residential densities, commercial, mixed use, open space and other areas to meet the diverse needs of its many citizens and visitors including homeowners, businesspersons, shoppers, and tourists. The area is intended to focus intensification along Garrison Road, its major transportation and transit corridor, while still providing for areas of increased density and infilling, balanced to meet with provincial and regional strategic growth and policy objectives within the Plan Area boundary.

#### **4.17.4 Objectives**

The main objectives of the Spears-High Pointe Secondary Plan are to:

- a) Provide a diversity of suitable housing choices that are coordinated with land use designations and densities that provide for suitable transition and gradation.
- b) Ensure new in-fill housing units and renovations are compatible with existing development.

- c) Encourage land assembly that would result in more efficient and effective design.
- d) Encourage development forms which are compact, to utilize urban land and services efficiently.
- e) Provide employment choices within the area that are compatible with residential uses, providing residents the option or opportunity to live and work in close proximity.
- f) Conserve existing natural areas, including those which are identified as locally significant wetlands in effort to retain an environmental function within the Plan Area.
- g) Provide a strong focus of higher density and mixed use residential/commercial activity along Garrison Road in order to be transit supportive.
- h) Promote compatible prestige industrial uses in the Employment area adjacent to the Queen Elizabeth Way highway where visibility is high and access to and from the highway system does not interfere or introduce disruption to the residential neighbourhood.
- i) Conserve the limited built heritage features and areas of historical context, more particularly the early Plato Loyalist Cemetery on Bertie Street and Provincially designated Brigadier General Cruickshank's residence.
- j) Enhance the Spears-High Pointe Neighbourhood by promoting gateway features at key locations that assist in distinguishing neighbourhood and community entry.
- k) Ensure that the transportation system provides for the needs of all citizens, encourages a compact urban form, transit ridership and promotes/enables active transportation within the neighbourhood.
- l) Seek opportunities for improved transportation connections to perimeter roads to assist in providing options and reduce delay and safety concerns.
- m) Make the neighbourhood a friendly, walkable community that promotes pedestrian and active transportation, and places emphasis on community safety for all ages by providing sidewalks, bike lanes, speed and stop control on our shared roadways.
- n) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the residents, businesses, industry and institutions of this area.
- o) The Spears-High Pointe Neighbourhood shall be promoted for predominantly new housing development that will provide choice in housing

opportunities that meet with demographic and socio-economic needs of the Town. A full spectrum of built form and tenure must be provided if age-in-place practice is to be realized.

- p) New housing development will be integrated with existing built up areas, open spaces and natural heritage features. Previously approved subdivision plans will be acknowledged within the neighbourhood planning context and developers of these plans shall be encouraged to work with the municipality in achieving the objectives stated herein.

#### **4.17.5 Residential – General Policies**

- a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections.
- b) Schedule “SHP-2” designates the areas of residential land use within the Secondary Plan Area with accompanying policy provided herein. The Plan provides for areas of varying residential density, which have been defined in keeping with stated Plan objectives.
- c) The Spears-High Pointe Secondary Plan provides for an estimated 1575 dwelling units and a projected residential population of 3983 persons in the neighbourhood over the long term.
- d) An appropriate level of affordable housing and senior citizen’s housing shall be considered by the Town when reviewing development applications in the Spears-High Pointe Neighbourhood, in keeping with Provincial Policy. Such developments shall be integrated with other forms of housing rather than segregated and isolated in order to provide a more cohesive and inclusive neighbourhood. In doing so, the opportunities for age-in-place are also supported and extend to a broader socio-economic base.
- e) The Town will consult developers regarding intensifying their existing draft approved plans of subdivision, provided the locations are suitable and consistent with siting criteria defined under section 4.17.7e) i. to v.

#### **4.17.6 Low Density Residential Policies**

- a) The lands designated on Schedule “SHP-2” as “Low Density Residential” shall be reserved for single detached, semi-detached and duplex dwellings, and their accessory uses, and shall generally be governed by the

Residential policies of Section 4.7 unless otherwise defined under this section.

- b) An overall target of approximately 60% Low Density residential yield shall be anticipated within the Neighbourhood. Notwithstanding Section 4.7.1.1 (b), the targeted mix and minimum yields of Built-up and Greenfield areas have been blended within the Secondary Plan boundary to provide for flexibility in structuring a cohesive and logical distribution of uses in areas best suited for the range of appropriate densities. The approach maintains and surpasses expectations of the Growth Plan while offering optimal community structure.
- c) Schedule “SHP-2” provides for approximately 741 additional low density units, bringing the total for Low Density units to approximately 910 over the long term. The yield reflects the existing lot fabric and anticipates retention of some large existing lots over the course of the planning period. As a result, lower densities can be anticipated within some areas of the plan until such time that redevelopment choices are made or the lifecycle of the existing home construction warrants replacement.
- d) The planned density range for the Low Density designation shall be up to 16 units per net hectare.
- e) Areas of Low Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.17.14 of this Plan. Development, redevelopment or expansion to existing use may require further study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.

#### **4.17.7 Medium Density Residential Policies**

- a) The lands designated on the Schedule “SHP-2” as “Medium Density Residential” shall be reserved for multiple-unit structures (townhomes and apartment dwellings), and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) An overall target of approximately 20% Medium Density residential yield shall be anticipated within the Neighbourhood.
- c) Schedule “SHP-2” provides for approximately 364 new Medium Density units. The Plan Area is currently void of existing multiple unit density so clear direction for higher densities is providing for such development for the

first time within the Plan Area consistent with growth management strategies of the Town, Region and Province.

- d) The planned density for the Medium Density residential designation shall provide for a range between 16 to 50 units per net hectare.
- e) Medium Density development is identified on Schedule SHP-2 and can also be considered by amendment to this Plan in areas:
  - i. immediately adjacent to Garrison Road;
  - ii. along collector roads within the Plan Area
  - iii. in close proximity to Parks, Open Space or Environmental Areas;
  - iv. adjacent to High Density residential; or
  - v. Adjacent to major commercial uses
- f) Developers with existing draft approved plans of subdivision within the Plan Area will be encouraged to consider modifying their plans to incorporate multiple residential units that are in keeping with the locational criteria described in the preceding paragraph.
- g) It is anticipated that the majority of the Medium Density unit yield will be in the form of ground-based dwellings such as street or block townhouse development; however low-rise apartment dwellings with a maximum height of 3 storeys should also be considered in areas adjacent or in close proximity to Garrison Road. The Town may request such consideration in effort to meet with a diversified form and stock of housing choice.
- h) Areas of Medium Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.17.14 of this Plan. Development, redevelopment or expansion to existing use may require further study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.
- i) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.

#### **4.17.8 High Density Residential Policies**

- a) The lands designated on the Schedule “SHP-2” as “High Density Residential” shall be reserved for multiple-unit structures (apartment dwellings), and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.



- b) An overall target of approximately 10% High Density residential yield shall be anticipated within the Secondary Plan Area.
- c) The planned density for the High Density residential designation shall provide for a range between 50 to 75 units per net hectare.
- d) High Density development shall be supplied in areas shown on Schedule SHP-2, which address the following criteria:
  - i. immediately adjacent to Garrison Road;
  - ii. in close proximity to Parks, Open Space or Environmental Lands; and
  - iii. Adjacent to major commercial uses
- e) High Density unit yield will be in the form of apartment dwellings. A building height of 6 storeys will be permitted within the designation with permissions to 10 storeys where it can be demonstrated that increased height does not negatively impact adjacent lower density uses or the transportation network. More specifically, shadow impacts on neighbouring properties are minimized and ingress and egress onto Garrison Road or an alternate point of access can adequately accommodate traffic generated by the development.
- f) For buildings greater than 6 storeys, placement of the building on the site, its orientation and massing composition, parking, landscape and the setback requirements will be regulated by a site specific by-law amendment.
- g) The Town may require a Heritage Assessment Study be prepared to address impacts of development on the adjacent Cruickshank Heritage Site in accordance with Section 11 of the Official Plan. The study would be prepared by a qualified heritage professional and required at the time of any Site Plan submission.
- h) Portions of the High Density designation shown on Schedule “SHP-2” are impacted by the Environmental Conservation overlay defined and described under policy 4.17.14 of this Plan and development shall address the policies of said Section. In addition to Section 4.17.14 where development may be permissible within an Environmental Conservation Area, site development shall be required to retain vegetative buffering of no less than 10 metres in width, so as to assist in screening lower density, ground based residential uses located west of the High Density designation. A Tree Preservation Plan will be required to accompany any applications for development.

#### **4.17.9 Core Mixed-Use Policies**

- a) The lands designated as “Core Mixed-Use” on Schedule “SHP-2” shall be reserved for a variety of retail and office uses, as well as residential uses.

Notwithstanding Policy 4.8.1 II, wherein the location for Core Mixed Use is described as being suited to downtown or proximity areas, the location for Core Mixed Use may also be located in a limited capacity to major roads or corridors connecting nodal areas within urban areas. Subsequently the policies of Section 4.8 generally apply, recognizing the Garrison Road corridor is not considered a “downtown” area in its geography, its history or its character. Garrison Road will, however, serve to become the focus for commercial activity and intensified residential development, making it the destination for services to those within the Spears-High Pointe Neighbourhood.

- b) The Town shall encourage site improvement and redevelopment of properties designated Mixed Use along Garrison Road, so as to intensify site capability and assist in creating a defined street edge.
- c) New development and redevelopment shall be encouraged to maximize available coverage and floor space permissions in order to optimize available services and support increased residential along Garrison Road.
- d) New development and redevelopment proposed on lands designated Mixed Use will be encouraged to locate close to the street frontage and to provide more direct pedestrian connection to Garrison Road for convenient pedestrian movement and access to buildings and transit.
- e) Building setbacks will be subject of municipal review and may be require a site specific zoning by-law amendment to assist in integrating built street edge with that of more recently developed commercial uses.
- f) Mixed Use designation shall include a residential component equal or greater than the commercial floor space provided. Consideration shall be afforded to conversions, existing buildings and additions, provided any new ground floor space includes a matching second story residential component.
- g) Any existing buildings subject of conversion or addition for the purpose of mixed use shall require Site Plan Control and be subject to inspection to ensure Ontario Building Code standards have been met.

- h) Stand-alone residential use within the Mixed Use designation will be discouraged. Proposals for stand-alone residential shall clearly demonstrate inability to effectively achieve combined residential and commercial uses on the same site without extensive modifications to zoning regulation and provisions. Conversely, smaller properties are encouraged to consolidate with adjoining properties sharing designation to provide increased opportunity for comprehensive development.
- i) The maximum height of any building in this designation shall be three (3) storeys, and the residential density shall be 16 to 50 units per net hectare in addition to the commercial floor space provided on-site.
- j) Residential units will be located on upper floors, reserving at-grade floor space for commercial use with limited exceptions such as retirement homes, permitted stand-alone residential or existing buildings subject to conversion.
- k) Covered parking and detached private garages would be acceptable on site provided they are set well back from the street and do not interfere with commercial traffic.
- l) New automotive related uses are not permitted in Core Mixed Use areas.
- m) At-grade commercial shall be fully accessible and barrier free in design.
- n) Private development is encouraged to provide fully accessible access to upper level residential.

#### **4.17.10 Commercial Policies**

- a) The lands designated as “Commercial” on Schedule “SHP-2” shall be reserved for a variety of “General Commercial” retail and office uses, and are subject to the policies of Section 4.9.2 of this Plan.
- b) Notwithstanding the uses identified in Section 4.9.2, new automobile sales and storage, repair garages, motor vehicle service stations and gas bars will not be permitted within the Plan Area, except for those commercial lands identified as being north of Garrison Road, immediately west of Thompson Road.
- c) All new or expanding automotive uses shall be required to demonstrate compatibility with adjacent uses.

- d) Intensification of Garrison Road commercial uses should be those which are compatible with and predominantly serving the neighbourhood's residential population and corridor commuter personal service needs. Commercial uses considering drive-thru operations shall, in addition to being subject to Site Plan Control, be required to address such matters as visual and aesthetic impact on adjacent properties and public road allowances through submission of an urban design plan. A Traffic Impact Study will also be required and may be scoped depending on location. Details of study requirements would be conveyed at mandatory pre-consultation meetings with Town staff prior to application submission.
- e) All commercial uses shall provide for full accessibility, barrier free access and appropriate parking stall locations.

#### **4.17.11 Employment Policies**

- a) Lands designated as "Employment" on Schedule "SHP-2" shall be reserved for an integrated mix of industrial and manufacturing operations as well as business activities, and the Industrial/Business Employment policies of Section 4.10 shall apply.
- b) The Employment designation within the Secondary Plan Area is generally limited in area and situated in such a manner that it provides prominent exposure to the QEW while also being in close proximity to existing and future residential uses and designations. Employment uses shall be those which are considered prestige type industrial uses that support the policies of Section 4.10 while offering decreased risk for nuisance to residential lands.
- c) Development occurring on lands designated "Employment" within the Spears-High Pointe Secondary Plan shall require study to determine applicable standards concerning noise and emissions. Ministry of Environment Standards shall apply in determining setbacks and mitigation measures that may need implementation with respect to sensitive receptors, both planned and existing in accordance with Section 10 of the Official Plan.
- d) Portions of the "Employment" lands designated on Schedule "SHP-2" are subject to Environmental Conservation Overlay policies of Section 8.3 of the Official Plan. Prior to any applications for development within or adjacent to Environmental Conservation Areas, the requirement for studies will be determined through the mandatory pre-consultation process with the municipality and Niagara Peninsula Conservation Authority.

#### **4.17.12 Institutional**

- a) The lands designated on Schedule “SHP-2” as “Institutional” shall recognize the existing institutional uses within the Secondary Plan Area and shall generally be governed by the Institutional policies of Section 4.12.
- b) Sites identified and designated as Institutional are uses serving in an established institutional role. These currently include:
  - i. 1088 Garrison Road – (Niagara Chapter – Native Women Inc.) which has been serving the needs of our aboriginal community members and protecting cultural and aboriginal heritage.
  - ii. 1110 Garrison Road – (Garrison Road Public School) This site has been in operation as a school since 1879. The site has a unique history and the original school house (S.S. No. 4) is still in an operating role and can be reviewed by the Town’s Municipal Heritage Standing Committee relative to its architectural and/or historical significance.

#### **4.17.13 Open Space**

- a) The lands designated as “Open Space” on Schedule “SHP-2” shall be reserved for a variety of active and passive recreational uses and other open space uses including storm water management. The policies of Section 4.13 shall generally apply to lands designated as Open Space. Lands identified under an Open Space designation within the Spears High Pointe Secondary Plan Area are further defined as provided below.

##### 4.17.13.1 Open Space – Neighbourhood and Specialized Parks

- a) The Town of Fort Erie’s Parks and Open Space Master Plan shall serve to guide the appropriate location and effective service area distribution for Neighbourhood Parks within the Secondary Plan Area given lands previously identified for Neighbourhood Parks in the Master Plan and earlier Neighbourhood Plan are now subject to environmental constraints. The alternate locations for parks as identified on Schedules SHP-2 and SHP-3 afford the opportunity to maintain the integrity and intent of the Parks and Open Space Master Plan.
- b) Existing Draft Plans of Subdivision contain some blocks of Parkland suitable for dedication where others must be reconsidered for an alternate location within the Secondary Plan as a result of Natural Features identification. The Town shall work cooperatively with developers and property owners to

obtain suitable sites for Parkland that best serve the Neighbourhood as a whole.

- c) Neighbourhood Parks are shown on Schedule “SHP-2” and “SHP-3” and it shall remain the intention of the Town to pursue acquisition of adequate Parkland through dedication or other means afforded the municipality through cash-in-lieu opportunities.
- d) The Secondary Plan contains portions of untraveled road allowance that may be used in conjunction with lands acquired to maximize parkland area. The Town may wish to close portions of road allowance associated with park block assembly.
- e) Neighbourhood Parks are a component of the overall Open Space network within the Secondary Plan. Neighbourhood Parks are considered points of interest or destinations within the Plan Area and therefore, will be given priority in connection to the overall network. Wherever possible, the provision of active transportation infrastructure to support pedestrian access to these locations will be required to be addressed through new development applications and capital replacement budgeting.
- f) The lands located immediately south and adjacent to the QEW, east of Alliston Avenue, were draft approved as parkland prior to natural heritage feature identification and overly designation being applied. These lands are shown on Schedule SHP-2 as Neighbourhood Park, as draft approved, and subsequently are not being shown with an Environmental Conservation overlay. Schedule SHP-3 illustrates the Environmental Conservation features identified on these lands (Locally Significant Wetlands), which shall remain regulated by the Niagara Peninsula Conservation Authority. The intent and future use of these lands will have them remain in their natural state with any potential passive recreational or trail use being considered by the Town, in consultation with the Niagara Peninsula Conservation Authority.
- g) The Plan identifies a small park block east of Garrison Road Public School and adjacent to the natural features area. This park shall be recognized as a “specialized park” designation under the Parks and Open Space Master Plan.
- h) Efforts will be made to preserve vegetation through park site development following examination of service level criteria for each identified park space and those containing limited ECA overlay.

#### 4.17.13.2 Open Space - General

- a) The Town supports linkage opportunities to assist in providing pedestrian access to points of interest such as Neighbourhood Parks, the Garrison Road Public School, commercial and services along Garrison Road and major retailers in the east end of the Plan Area. The linkage areas are critical to a cohesive Open Space network that supports active transportation as an alternate means of reaching destinations within the Plan.
- b) The Town shall make every effort to ensure linkage opportunities are protected when new development or re-development is proposed within the Plan Area. Linkage opportunities are represented on Schedules SHP-2 and SHP 3 of this Plan and illustrate a preferred series of linkage opportunities.
- c) The Town may consider alternate locations for linkage provided it can be demonstrated to achieve or improve on the level of direct connectivity desired, so as to promote its use through convenience and pedestrian safety.
- d) Road allowances not presently traveled within the Secondary Plan Area that may remain in such state shall be considered for open space linkage purposes.
- e) Trail development through select Environmental Conservation Area designations identified on Schedule SHP-3 shall be considered desirable and may be pursued by the Town, in consultation with the Niagara Peninsula Conservation Authority, to provide for an enhanced open space network which supports active transportation objectives.
- f) The Town will seek appropriate opportunities to provide supporting infrastructure for active transportation needs.
- g) Landscaping treatment for Linkage blocks will be dependent on size and location within the Open Space network. Some areas may be best suited in a naturalized state and others may be preferred in a maintained park like setting.

#### 4.17.13.3 Open Space – Natural Areas

Schedules SHP-2 and SHP-3 illustrate two areas that have been identified within the Secondary Plan Area and are subject to the following policies:

- a) The area identified on the south side of Bertie Road represents a man made pond and retention in private ownership will continue to offer a scenic point of interest along the Bertie Road exposure,
- b) The area located central to the Plan in a long linear arrangement is comprised of privately owned lands and Town owned road allowances (not travelled). The majority of these lands are subject to the Environmental Conservation Overlay designation. The Town desires to have these combined ownerships preserve the existing vegetation and to provide opportunity for an active transportation trail linking the Neighbourhood Park shown on Schedule SHP-2 and SHP-3.

#### 4.17.13.4 Open Space – Storm Water Management (SWM)

- a) Lands identified as “Open Space - Storm Water Management” within the Plan Area reflect locations identified in the Spears and High Pointe Master Servicing Plan prepared by EarthTech (2002) and shall be considered approximate until detailed engineering at the development stage can more precisely define limits and location of the designation.
- b) Following detailed engineering analysis, should storm water management facilities identified as “Open Space (SWM)” on the Schedules to this Plan be relocated, shift or have their area requirement diminish, the subsequent implementing designation shall be interpreted as follows:
  - i. the adjacent land use designation with the higher residential designation applying when more than one residential designation exists.
  - ii. Notwithstanding, for the SWM facility located on Garrison Road, east of the Garrison Road Public School, the defaulting land use shall be Medium Density Residential.
- c) An amendment will not be required provided the changes are not substantive and are the result of detailed refinement. If changes result in complete relocation, the impact on the new location will be assessed with respect to land use loss. The Town may seek opportunities to recover any lost density through further intensification of any subsequent applications. In either instance, consultation with Town staff shall be required.



## **4.17.14 Natural Heritage Policies**

### **4.17.14.1 General**

- a) Determination of any natural feature boundaries or environmental study requirements will be identified during mandatory pre-consultation for Planning Act applications, or on permit application review for site or building expansions in cases where the lands are regulated under the Conservation Authorities Act as administered by the Niagara Peninsula Conservation Authority in accordance with Section 8 of the Official Plan.
- b) Determination of EIS requirements shall be based on Regional EIS Guidelines, with administration and approval authority responsibility having been set out in the Memorandum of Understanding between local and regional governments and the Niagara Peninsula Conservation Authority.
- c) Policies of Section 8 shall apply to natural heritage resources within the Spears-High Pointe Secondary Plan Area. However, there are unique circumstances that need to be recognized as a result of existing conditions. There are a number of existing residential dwellings, an existing school (Garrison Road P.S.) and existing Draft Approved Plans of Subdivision, all of which pre-date locally significant wetland identification and implementation into the Town's Official Plan. In light of these existing conditions, exceptions will be afforded respecting continued or approved use of select areas of buffer shown on Schedule "SHP-3".
- d) The Spears-High Pointe Secondary Plan contains Environmental Conservation Areas, all of which are shown as an overlay designation on Schedule SHP-2 and further defined on Schedule SHP-3. The Environmental Conservation Areas may comprise any of the following components:
  - i. Locally Significant Wetlands (LSW);
  - ii. Associated Buffer Area (typically 30m) adjacent to the LSW; and
  - iii. Woodlands
- e) Policy 8.8.1.XXIV shall be referred to for direction regarding the relationship between existing draft approved plans of subdivision and natural heritage features.

### **4.17.14.2 Locally Significant Wetlands**

- a) Locally Significant Wetlands (LSW's) are identified as an Environmental Conservation Overlay on Schedules SHP-2 and SHP-3, and are subject to the policies of Section 8 of this Plan and policies of this Section.

- b) Locally Significant Wetlands (LSW's) are regulated under the Conservation Authorities Act as administered by the Niagara Peninsula Conservation Authority (NPCA). Applications for development within these features shall be highly discouraged and subject to Section 8 of this Plan.
- c) Any application received for development within an LSW shall require an Environmental Impact Study and Planning Justification demonstrating conformity with the Provincial Policy Statement, Niagara Peninsula Conservation Authority (NPCA) Land Use Planning Policy Document, Regional and Fort Erie Official Plans. The NPCA is the regulatory authority for LSW's under the Conservation Authorities Act.

#### 4.17.14.3 Associated Buffer Area

- a) Schedules SHP-2 and SHP-3 illustrate the LSW feature with two separate identities provided for the Associated Buffer as defined below:
  - i. "30m LSW Buffer Overlay" is illustrating a complete 30m buffer around the perimeter of the LSW feature as identified by the Ministry of Natural Resources. This designation is provided for demonstration and shall serve as an overlay for reference when applications are received for any development activity on affected lands. The overlay reveals areas of underlying designation that represent, and are designated for, their existing / approved and accepted use. Non-environmental land uses identified under the overlay designation shall continue to be permitted and recognized through this plan and shall be zoned accordingly. Any new development on underlying lands such as building additions, accessory structures or minor grading works, may require permits from the NPCA. The Town in consultation with the Region and NPCA will pursue the establishment of waiving and scoping requirements and procedures for an EIS to simplify the approval process while allowing development that safeguards the natural environment.
  - ii. "Remnant Buffer" is a land use designation within the context of this plan and represents remaining "intact" Buffer Area of the 30m required Buffer Area directly associated with the LSW feature. The Remnant Buffer is shown on Schedule SHP-3 and is an Environmental Conservation Area designation and subject to full regulation by the NPCA. Development within this designation shall be highly discouraged and may only be considered in accordance with Section 8 of this Plan and regulatory requirements of the NPCA.

#### 4.17.14.4 Woodlands

- a) Woodland features are found scattered throughout the Plan Area with some being associated with the LSW's and others not. The woodlands are identified as part of the Environmental Conservation Overlay designation with an underlying primary land use identified therein.
- b) Development within the Woodlands, outside of LSW's and associated Buffers, may require an EIS be prepared to the satisfaction of the Town, in accordance with Section 8 of this Plan and in consultation with the NPCA.
- c) The Town in consultation with the Region and NPCA will pursue the establishment of waiving and scoping requirements and procedures for an EIS to simplify the approval process while allowing development that safeguards the natural environment.
- d) A Tree Preservation plan may be required to implement the recommendations of an EIS, or to protect trees identified as worthy for protection.

#### 4.17.14.5 Environmental Corridor, Linkage

- a) Schedule "C" of the Official Plan illustrates conceptual Corridors throughout the municipality. The Spears High Pointe Neighbourhood Area contains the outer reach of one such corridor. The location is shown on Schedule "SHP-3" of this Plan and is illustrated towards the eastern end of the Plan Area between the major commercial area and residential interface.
- b) There is considerable existing development, including Garrison Road, where the corridor is illustrated. The appropriateness of a corridor in this area will be examined as part of an EIS for adjacent lands designated for development, as set out in Section 8.3.4 IV of the Official Plan.

#### **4.17.15 Sensitive Uses in Proximity to QEW and Employment Lands**

- a) The potential for elevated noise exists for some areas of residential within the Plan Area due to proximity of the Q.E.W. and proposed Employment lands. Appropriate measures may be required to mitigate excess noise to within acceptable MOE Guideline levels.
- b) Residential development bordering employment lands shall be designed in a manner so as to mitigate, or to assist in mitigating, any potential noise impact from employment uses. This interface area is generally along Bertie Street within the Plan Area and future residential use may be required to

front Bertie Street with increased setbacks. Outdoor living areas should be situated to the rear of units along the south side of Bertie Street.

#### **4.17.16 Transportation Systems** (*Road Networks, Active Transportation and Public Transit*)

- a) The Transportation System is in reference to the various modes of transportation that can be made available to service the Spears High-Pointe Secondary Plan Area. The three components envisioned to service the Plan Area include the road network, the pedestrian/active transportation network and public transit routing.
- b) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation Systems over the long term, review of current standards, or development of new standards may be required.

##### 4.17.16.1 Road Networks

- a) The development of the road network in the Spears-High Pointe Secondary Plan shall generally be in accordance with Section 12.7 of the Town Official Plan.
- b) Improvements to the road system and road reconstruction shall be carried out in accordance with the standards adopted by Council pertaining to municipal roads, and Council will strongly consider the existing character of the neighbourhood when making road improvement decisions.
- c) It is not intended that all road improvement proposals will be undertaken in the immediate future, but the Town shall, in conjunction with the Region where required, prepare a detailed staging plan for road improvements and establish an order of priorities for such improvements.
- d) New roads shown on Schedule “SHP-4” are “conceptual” and their introduction or final location shall be determined through subsequent development applications.
- e) In addition to the existing collector roads within the Plan Area (Bertie Street, Pettit Road and Spears Avenue) and the arterial regional road (Garrison Road) along the Plan’s southern boundary, the Town desires to establish a mid-block east-west neighbourhood collector road capable of providing a continuous internal traffic route through to either end of the Plan Area, without the need to access Garrison Road. Seymour Avenue represents the

only possibility to achieve this goal and as such, the Town shall seek to provide for its extension in this role.

- f) A small portion of Alliston Avenue between Acton Avenue and Bertie Street is shown as a conceptual road. Conditions of an existing and related draft approval require a Transportation Impact Study be completed. Scoping of the study parameters should include a functional analysis on whether construction of this short connecting road provides any significant benefit, or relief on Spears Road traffic volumes. Should the analysis demonstrate negligible or marginal improvement to the overall impact on Spears Road, the Town may choose to have the use remain Open Space, as shown being the underlying designation on the Schedules to this Plan.
- g) The Town shall seek to provide cross connection to existing roads on the south side of Garrison Road wherever feasible and to reduce the instances of offset or misaligned intersections.
- h) Garrison Road is under the jurisdiction of the Region of Niagara. New road intersections and driveways access and egress require Regional approval.
- i) The Region of Niagara has indicated that Kraft Road to the south of the Plan Area will be the preferred location for any future traffic signalization. Traffic signals will require a warrant prior to commitment for their installation.
- j) Development occurring in the vicinity of the Kraft Road intersection shall have regard for design geometry to accommodate through traffic entering and exiting the Plan Area.
- k) The Town, in consultation with the Region, shall make final determination on whether truncating access of Spears Road to Garrison Road would occur following any successful alternate alignment with Kraft Road being implemented. When requesting Traffic Impact Studies resulting from development applications, modeling will be requested that demonstrates impacts of closing Spears Road, to assist in determining an ultimate preferred intersection arrangement in this vicinity of Garrison Road.

#### 4.17.16.2 Active Transportation

- a) Active Transportation shall be a consideration of Council as identified under Section 12.7.2 iv).
- b) Components of active transportation include on-road cycling lanes, off-road paths/trails and a comprehensive sidewalk network within the Plan Area,

access to all common and frequent destinations or points of interest, such as parks, schools, commercial, YMCA, Town Hall skate park, arena's and transit stops.

- c) Schedule "SHP-4" illustrates components of the Active Transportation Network for the Spears-High Pointe Secondary Plan.
- d) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking road improvements / reconstruction.
- e) Applications for development will be required to demonstrate how plans integrate and provide for the necessary infrastructure to facilitate active transportation in relation to adjoining uses, and how it contributes to the overall network for active pedestrian movement illustrated on Schedule "SHP-4".
- f) At a minimum, all new or reconstructed roads within the Plan Area shall provide for a sidewalk on at least one side of the roadway where financially feasible.
- g) Any planning for public sidewalk construction will be subject of departmental review and confirmation.
- h) Collector roads within the Plan Area shall be planned to provide for sidewalks on both sides. Council may consider single side locations in part or in whole following departmental review and recommendation.
- i) Efforts to provide a primary and secondary network of sidewalks will be considered where increased frequency and use can be expected. This may include sidewalks in the vicinity of Garrison Road Public School, along collector roads, or linking to transit stops. Treatment to distinguish sidewalk hierarchy may be established to include increased surface width or promotion of increased or double row planting.
- j) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.
- k) On-road bicycle lanes should be provided on collector roads within the Plan Area. Standard asphalt platform and lane widths may require review in conjunction with on-street parking restriction to facilitate a safe and functional on-road cycling network.

- l) The Spears-High Pointe Secondary Plan contains natural environment features that may be suitable for accommodating pedestrian trail linkage. Opportunities to enhance the overall network through visual variety in a diversity of settings shall be encouraged. NPCA will be consulted when trails are proposed in regulated areas.
- m) Any trails associated with or located in Open Space or Natural Features Areas shall not be lit, thereby assisting in nocturnal wildlife corridor function.
- n) Determination of surface materials used on trail linkages will be determined on a site by site basis and in consultation with NPCA where applicable.
- o) Wherever possible, the Town and Region will work cooperatively in establishing linkages to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation modes.
- p) Active Transportation and Public Transit use are complimentary modes of transportation. Provision of adequate pedestrian linkage should be available to and on transit routes.

#### 4.17.16.3 Public Transit

- a) The Spears High-Pointe Secondary Plan shall be considered for regular service scheduling. As the community development progresses, the transit routing shall be regularly reviewed and updated to accommodate and promote public transit ridership from within the neighbourhood.
- b) The existing inter-regional transit hub situated at the northwest corner of Thompson and Garrison Roads (Walmart) shall continue to be promoted in conjunction with local transit initiatives in providing access to major urban centres within Niagara.
- c) A transit route schematic is illustrated on Schedule “SHP-4”, along with potential transit stops. Applications for development shall have regard for long term transit service needs, which may include consideration of driveway locations in proximity to potential stop locations. Actual location and infrastructure requirements for transit stops will be reviewed on an application by application basis. Developers may be required to provide or assist in providing infrastructure requirements to accommodate transit or future transit.

- d) Long term transit planning shall have regard for locating potential transit stops using a typical 400m service area catchment model.

#### **4.17.17 Parking Policies**

- a) The hierarchy of roadways through their classification of either Arterial, collector or local, shall dictate whether on-street parking will be permitted.
- b) When roads of are slated for reconstruction, consideration will be given to their intended classification within the Plan Area with respect parking provision.
- c) All local roads should be providing allowance for parking on at least one side of the road. Consideration shall be given with respect to sightlines and other safety related matters and where appropriate on-street parking may be restricted.
- d) Collector Roads will consider the provision of on-street cycling lanes as the primary use of curbside asphalt space, thereby restricting or prohibiting on-street parking. In the event that a collector road is not identified for on-street cycling lanes, consideration may be given to provision of on-street parking on at least one side and subject to available platform width, both sides. Restrictions may be imposed given the higher volumes of traffic anticipated for a collector road and through the presence of transit service and transit stops, if applicable.
- e) Provision of on-site parking for intensified residential, commercial and mixed use along Garrison Road will be required.
- f) The Town may consider reduced parking requirements for mixed use development through site specific By-law Amendment when a parking study can demonstrate offsetting need for spaces during periods of use.

#### **4.17.18 Cultural Heritage Policies**

- a) The Spears-High Pointe Secondary Plan Area contains two identifiable potential cultural heritage sites for consideration by the Municipal Heritage Standing Committee. The location of the sites are identified on Schedule “SHP-2” and are referred to as:
  - i. Garrison Road Public School
  - ii. Plato Loyalist Cemetery



- b) The Brigadier General Cruickshank residence is designated under Part 5 of the Ontario Heritage Act. Given the heritage designation of this site, no additional residential development is envisioned for this property.

#### **4.17.19 Municipal Services Policies**

- a) Municipal servicing shall be consistent with the policies of Section 12 of the Town's Official Plan.
- b) Municipal services such as sewers, water, stormwater and public/private utilities will be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in the Spears-High Pointe Neighbourhood.
- c) Major sanitary works have recently been completed along Garrison Road that will facilitate sanitary servicing of the entire Spears-High Pointe Secondary Plan Area. All of the currently approved and future developments will be required to provide servicing plans that are consistent with the 2002 Town of Fort Erie Master Servicing Study and its April 2009 compendium Technical Memorandum Update prepared by Phillips Engineering Ltd.
- d) All new development shall require approval of a storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to mitigate or alleviate flooding of adjacent and downstream properties during storm events.
- e) Locations for stormwater management facilities are illustrated on Schedules SHP-2 and SHP-3 and are considered approximate until such time that detailed engineering has confirmed location and size required for benefitting catchment areas within the Secondary Plan Area.
- f) Existing municipal water supply is available to service the Plan Area. All phasing or staging of development shall be encouraged to loop watermains wherever opportunity exists to do so.
- g) Spears-High Pointe contains many smaller properties that could be considered for in-filling, consents or consolidations. Property owners and developers are encouraged to work cooperatively in establishing servicing plans that optimize potential for additional development through such means.
- h) The Town may consider front-ending agreements when all other financing means have been demonstrated and exhausted.
- i) All new development within the Secondary Plan Area shall be developed with full municipal services.
- j) The Town shall expect up gradient property ownership to make financial contributions to the persons or entities having made the initial investment in infrastructure for proportionate SWM Pond volume and any incremental oversizing requirements with respect to sanitary and storm sewers. Such contributions may require execution of a separate agreement at an appropriate

time following any successful applications for new development and prior to execution of required agreements with the Town of Fort Erie.

#### **4.17.20 Utilities**

- a) Canadian Niagara Power has identified a possible need for a future distribution sub-station in proximity to, or within the Plan Area. Service area and network planning is largely dependent on demand. An optimal location for the sub-station will be determined at the earliest possible time to support the growth in the larger vicinity.
- b) Canadian Niagara Power shall work cooperatively with the Town and regulatory authorities in determining suitable locations that are compatible with existing and planned development, in effort to reduce or eliminate potential conflicts,
- c) Use of appropriate aesthetic treatments by all public and private utilities will be examined relative to site location and adjacent area land use. Efforts to minimize visual impacts on sensitive adjacent land uses will be required and may include landscape planting/screening, architectural treatments or combination thereof. Aesthetic mitigation requirements will be determined in consultation with the Town and on a site specific basis.
- d) Safety standards and separation requirements shall be strictly enforced when located close to residential development.

#### **4.17.21 Neighbourhood Gateways**

- a) The Spears-High Pointe neighbourhood represents (in Part) the western gateway into Fort Erie's Main Urban Area. The municipal offices and existing sign act as an effective major gateway feature into this urban area. Consideration on establishing minor gateway features at the various neighbourhood entry points may be given in effort to identify and distinguish the neighbourhood from its southern neighbours (Crescent Park and Kraft neighbourhoods).
- b) Efforts to achieve minor gateways can be accomplished through such measures as minor architectural features at road intersections, landscaped treatments, decorative fencing, alone or in combination with one another.
- c) Identifiable minor gateway locations the Town has given consideration to are identified on Schedule SHP-4 and are described as being located at:
  - Garrison Road bordering the major commercial development and the high density designation;
  - Pettit Road at the northern most point of the Plan Area.
- d) Development occurring at these identified locations shall be encouraged to incorporate minor gateway features, in consultation with the Town, as part of

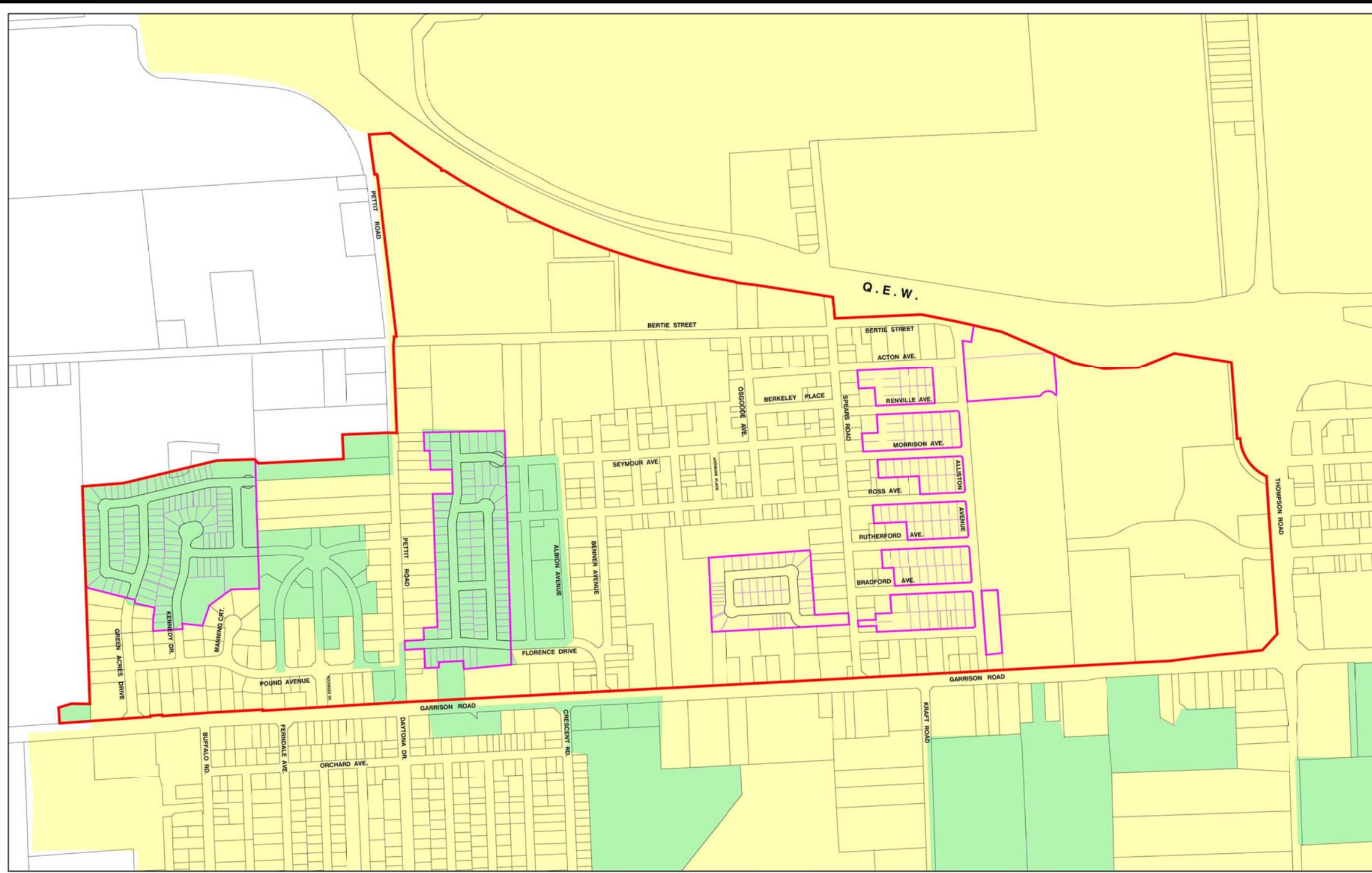
the development proposals. Other areas may be considered during the development consultation and application stages.

- e) Should minor gateway features be considered for locations on or immediately adjacent to Garrison Road, the Town and/or developer shall consult with the Region in determining interest or requirements.

#### **4.17.22 Interpretation of the Plan**

The Spears-High Pointe Secondary Plan (Official Plan Amendment No.8) consists of Sections 4.17.1 through 4.17.21, and Schedules “SHP-1”, “SHP-2”, “SHP-3” and “SHP-4”.

**The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.**



**SPEARS-HIGH POINTE  
SECONDARY PLAN**

**BUILT BOUNDARY  
(Places to Grow)**

- LEGEND**
- SECONDARY PLAN BOUNDARY
  - "BUILT-UP AREA" ( PLACES TO GROW - GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE )
  - "GREENFIELD" ( PLACES TO GROW - GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE )
  - ACTIVE DRAFT APPROVED PLANS OF SUBDIVISION



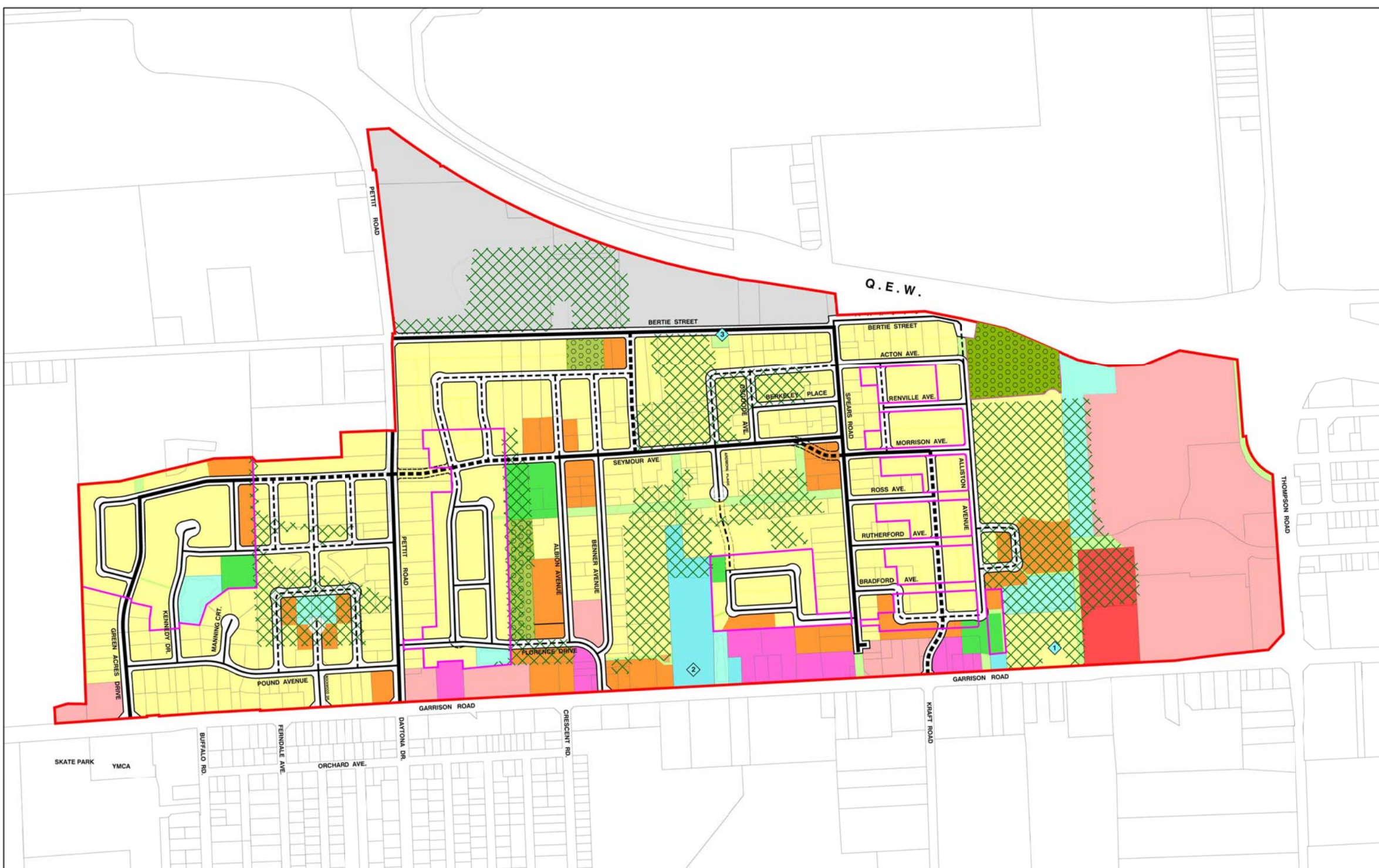
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**SHP-1**  
TO OFFICIAL PLAN  
AMENDMENT 8



















## SPEARS-HIGH POINTE SECONDARY PLAN

# LAND USE PLAN



### LAND USE LEGEND

	LOW DENSITY		OPEN SPACE (NEIGHBOURHOOD PARK)
	MEDIUM DENSITY		OPEN SPACE (GENERAL)
	HIGH DENSITY		OPEN SPACE (SWM)
	CORE MIXED USE		OPEN SPACE (NATURAL AREA)
	COMMERCIAL		ENVIRONMENTAL CONSERVATION AREA (Overlay) (See Schedule SHP-3)
	INSTITUTIONAL		TRAVELLED ROADS - EXISTING OR APPROVED
	EMPLOYMENT		CONCEPTUAL ROADS

### HERITAGE RESOURCES

-  PROVINCIALY DESIGNATED - GENERAL CRUIKSHANK HOMESTEAD
-  POTENTIAL HERITAGE SITE - GARRISON ROAD PUBLIC SCHOOL
-  POTENTIAL HERITAGE SITE - PLATO LOYALIST CEMETERY

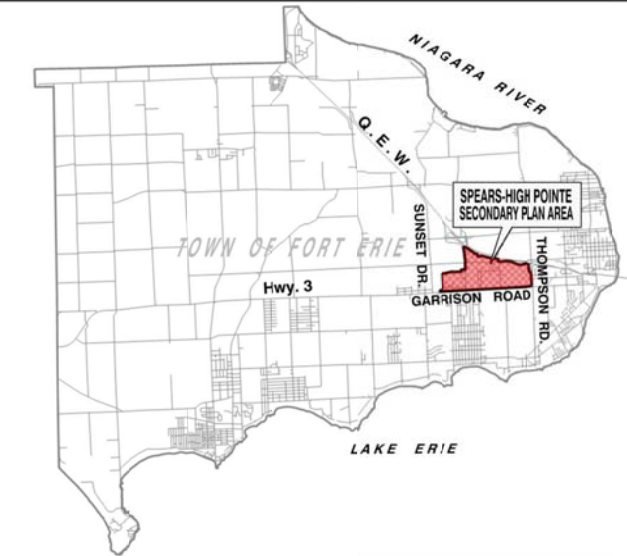
### OTHER

-  DRAFT APPROVED PLANS OF SUBDIVISION
-  TOTAL SECONDARY PLAN AREA



THIS IS SCHEDULE  
**SHP-2**  
TO OFFICIAL PLAN  
AMENDMENT 8





## SPEARS-HIGH POINTE SECONDARY PLAN

# OPEN SPACE & NATURAL HERITAGE PLAN



### LEGEND

- |  |  |  |  |
|--|--|--|--|
|  | OPEN SPACE (NATURAL AREA)                          |  | OPEN SPACE (SWM)                               |
|  | ENVIRONMENTAL CONSERVATION AREA (Overlay)          |  | OPEN SPACE (GENERAL)                           |
|  | ENVIRONMENTAL CONSERVATION (LSW)                   |  | OPEN SPACE (NEIGHBOURHOOD PARK)                |
|  | 30m LSW BUFFER LIMIT (from LSW Feature)            |  | TYPICAL NEIGHBOURHOOD PARK SERVICE AREA (600m) |
|  | REMNANT LSW BUFFER (not owner occupied/maintained) |  | POTENTIAL TRAILWAY - Pedestrian Linkage        |
|  | TOTAL SECONDARY PLAN AREA                          |  | POTENTIAL TRAILWAY - Enhanced Boulevard        |
|  | DRAFT APPROVED PLANS OF SUBDIVISION                |  | CONCEPTUAL CORRIDOR LINKAGE                    |



THIS IS SCHEDULE  
**SHP-3**  
TO OFFICIAL PLAN  
AMENDMENT 8

DECEMBER 10, 2012





# SPEARS-HIGH POINTE SECONDARY PLAN

## TRANSPORTATION SYSTEMS PLAN



### LAND USE LEGEND

- OPEN SPACE (NEIGHBOURHOOD PARK)
- OPEN SPACE (GENERAL)
- OPEN SPACE (NATURAL AREA)
- OPEN SPACE (SWM)

### ROAD CLASSIFICATIONS

- COLLECTOR ROADS - EXISTING
- LOCAL ROADS - EXISTING
- COLLECTOR ROADS - APPROVED
- LOCAL ROADS - APPROVED
- COLLECTOR ROADS - CONCEPTUAL
- LOCAL ROADS - CONCEPTUAL

### ACTIVE RECREATIONAL FEATURES

- POI - Point of Interest (common pedestrian destination)
- POTENTIAL TRAILWAY - Pedestrian Linkage
- POTENTIAL TRAILWAY - Enhanced Boulevard
- POTENTIAL BIKE LANE

### TRANSIT AND TRANSPORTATION

- POTENTIAL TRANSIT ROUTE
- POTENTIAL TRANSIT STOP
- EXISTING TRAFFIC SIGNAL LOCATION
- POTENTIAL TRAFFIC SIGNAL LOCATION

### SERVICE AREA CATCHMENT

- TYPICAL TRANSIT STOP SERVICE AREA (400m)
- OTHER**
- TOTAL SECONDARY PLAN AREA
- MINOR GATEWAY FEATURES



THIS IS SCHEDULE  
**SHP-4**  
TO OFFICIAL PLAN  
AMENDMENT 8